

ORDINANCE 1507

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING AMENDMENTS TO CHAPTER 10 OF THE NORTH BEND MUNICIPAL CODE CONCERNING PARKING REGULATIONS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City has the authority to establish and enforce vehicle regulations and fines not in conflict with State or federal law; and

WHEREAS, the Council has established vehicle regulations and fines in NBMC Chapter 10; and

WHEREAS, the Council desires to amend these vehicle regulations to prohibit parking or storing vehicles upon streets or public rights of way in excess of 24 consecutive hours;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. North Bend Municipal Code 10.06.040 Vehicles – Time limits, Amended:
North Bend Municipal Code Section 10.06.040 is hereby amended to be read as follows:

10.06.040 Vehicles – Time limits.

A. No person shall park or store any vehicle within any off-street public parking facility or any other off-street public property within the city in excess of 24 consecutive hours, or as specifically posted, as described under subsection B of this section.

B. No person shall park or store any vehicle within any public parking stall, public parking facility, or electric vehicle charging station on public property in excess of any time limitation posted at that stall, facility or station.

C. No person shall park or store any vehicle upon any street or public right-of-way in excess of 24 consecutive hours.

D. No person shall park or store any vehicle in excess of two consecutive hours upon any section of North Bend Way, between Sydney Avenue North and Ballarat Avenue North.

E. No person shall park or store any vehicle posted with a “For Sale” sign or other similar sign within any off-street public parking facility or other off-street public property.

F. For purposes of this section, a “vehicle” is defined as set forth in RCW 46.04.670, and shall include all recreational vehicles, including motor homes, campers, utility trailers, boats, boat trailers, and travel trailers, and shall include large commercial vehicles referenced in NBMC [10.06.031](#).

G. The first violation of this section shall cause the vehicle to be subject to impoundment at the registered owner’s expense. The law enforcement officer discovering an unauthorized vehicle left within a city parking facility or right-of-way shall attach to the vehicle a readily visible notification. The notification shall contain the following information: the date and time the notification was attached; the identity of the officer; a statement that if the vehicle is not removed within the corresponding time period that the vehicle may be impounded and stored at the owner’s expense. If the vehicle has current Washington registration plates, the officer shall check the records to learn the identity of the last registered owner of record. The officer or his department may make a reasonable effort to contact the owner by telephone in order to give the owner the information on the notification sticker. It is not necessary for law enforcement to provide notification if the vehicle is located in any off-street public parking facility, or other public property when that parking facility or public property is clearly posted by signing prohibiting actions outlined in this section. The law enforcement officer may impound the vehicle and provide for the removal of the vehicle to a place of safety, which includes the location of a registered tow truck operator. A vehicle that does not pose a safety hazard may remain on the roadside for more than 24 hours if the owner or operator is unable to remove it from the place where it is located and so notifies law enforcement officials and requests assistance.

Section 2. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 5TH DAY OF
NOVEMBER, 2013.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: November 13, 2013
Effective: November 18, 2013

Susie Oppedal, City Clerk